App. F. IX-4

1928.

File No. 45.28

(Sept)

Serial Nos. 1-3

Previous References
S&B 90. 22-1
GA 17-26-60
on 3-21-2
S&A 4-23-2
Later References
GA 17-29 & 69 & 65-
GA 7-31 (19-32)

P Pay/26.4.43

General and Revenue Secretariat.

Serial Nos.

Part B for Sept. 28

SUBJECT

Enrolling temporary Service for persons in the Comptroller's office

Govt No. 2221 dt 10.9.28
re the compln:
Sanctions the proposals of the Comptroller
in regard to —

TBR

FINANCIAL SECRETARY
25 JAN. 1928
No

S.R. 15.28 3437 R.L. 7-L.

OFFICE OF THE COMPTROLLER TO THE GOVERNMENT
OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

No. 874 Es

Bangalore, dated 24th January *1928.*

From

S. SHAMANNA, Esq., B.A.,
Comptroller to the Government of
His Highness the Maharaja of Mysore,
BANGALORE.

To

B. Srinivasa Iyengar, Esq., B.A., B.L.,
Secretary to the Government of Mysore,
Financial Department, Bangalore.

Sir,

I have the nonor to invite your kind reference to the correspondence ending with your letter No.Fl.1921/S&A 4-23-2 dated the 10th October 1923 regarding the concession of counting temporary service for pension permitted in Government Order No.Fl.2115/G.F. 3-21-82 dated 13th November 1922 being extended to certain other officials and request to be informed as to when the orders on the general question of relief sought for in cases of long and continuous temporary service men may be expected to issue and when the cases of the officials of this office referred to above will be disposed of.

I have the honor to be,
Sir,
Your most obedient servant,

For Comptroller.

MSR

3437/VL

2

App. F. III—2]

General and Revenue Secretariat. S&A File No. 45 of 1927.

Serial No.

The two previous collections are not available as they are stated to have been put up in connection with a reference from the Punjab. in ~~connection matter~~. connection with the counting of temporary service for pension-

It is informally understood that that ~~question~~ field has been submitted to His Highness with a ~~draft~~ final note - permitting the counting - as a general rule - of temporary service of 5 years - in the case of officials who have put in ~~over~~ 5 years and more of temporary service followed by a substantive appointment and in the case of service of less than five years - half of it to be reckoned for purposes of pension. -

This decision ~~appears to~~ will apply to all cases. After it receipt the present reference will be disposed of. -

May the return of the file with His Highness orders be awaited?

Subs
Surey
30/1/28

S. Fakeer Jung
Per permit 31/1/28

11049
1/2

NOTE—Contn. sheet.

WD 0324—GPB—60,000—24-5-27

W.W.K 31-1/2

Work out Chakravarty 31/1/28

1/2

3(13)

App. F. III—2]

General and Revenue Secretariat. File No. 15 of 1928.

Serial No.

The file received with orders of H.H. has been circulated to the members of Council for perusal of His Highness' orders. After return of the file the present reference will be worked up

Rec'd. 6-2-28
Issued
6/2/28
Returned
3/2/28

Ord. in
on 3-2-28
(Memo)
Work
7/-

Of the two collections referred to in the P.W.D are put up. The general question of relief to be granted in case of long and continuous service has not appeared to have been finally settled yet. and the papers were filed in 1923 Still many cases of the kind have been referred to this Govt to be decided on their own merits.

Vide Separately submitted

Of the cases of this kind are very common in the Public Works department though there are similar ones in other departments also.

In the case of the P W D. Recently the Council have decided as follows:-

continuous service for a period of 5 years in a temporary appointment or more than one temporary appointments will be counted for pension and where the period of temporary

NOTE—Contn. sheet.

WD 0324—GPB—60,000—24-5-27

3437

App. F. III—2] 4

General and Revenue Secretariat. S.A. File No. 45 of 1928.

Serial No.

Service is less than 5 yrs followed by service in a substantive appointment half the period will count for pension and that rule will apply to the clerical staff of that department. --

1) It is for orders if the present reference of the comptroller may be settled on the lines of orders in the case of P. W. Department. --

As there will be similar cases in all departments it is for orders if the concession shown to the officials of the P W dept may not be extended to all departments

2) The secretariat also have a large number of such cases.

please put this up if available

8/2/28

Orders

8/2/28

3) Submitted with the file leading to the G.O. in respect of P. W. Officials. ✓

M
2.3.28.

4) Such will accept of this office file H. F.

5) In G O No 2115 dt 13-11-1922 Govt. ordered that the officials in the Comptr's office confirmed in consequence of the reorganisation of that office (1918) might be permitted to reckon their temporary service

NOTE—Contn. sheet.

General and Revenue Secretariat. | File No. 45 of 192 8

Serial No.

for pension if they had rendered on the date of confirmation not less than 3 years' service; and reserved for separate consideration the cases of other officials confirmed subsequent to the re-organisation in connection with the general question of the relief required in cases of long and continuous temporary service.

G

The general question of relief was considered in the file flagged 'G' and the papers were filed for the time being.

Flag B

But the Comptroller in his letter dated 19th May 1923 again raised this question, along with the cases of officials whose temporary service was partly in the Accounts Department and partly in other Departments, for orders of Government.

Fl H C.

He was given a reply in October 1923 that he might await orders on the general question.

Fl. Y

He again reminded Government in his letter dated 18th December 1924, but no further action seems to have been taken in this matter.

P. U. D. I

Another reminder dated 24th January 1928 has been sent by him and he requests orders on the general question and also on the cases of the officials of his office reserved for consideration along with the general question.

The following are the existing rules regarding the continuance or otherwise of temporary service for the purpose of pension.-

in M. S. Regr. Counting

NOTE—Contn. Sheet.

General and Revenue Secretariat.

SAB File No. 45 of 192 .

Serial No.

Art.239. No claim to pension is admitted

(a) when an officer is appointed for a limited time only or for a special duty on the completion of which he is to be discharged, and

(b) when a person is employed temporarily on monthly wages without special limit of time or duty.

Art.246. The service of an officer does not qualify for pension unless the employment is substantive and permanent.

Art.248. Upon such conditions as it may think fit, in each case, to impose, Government may allow temporary service to count for pension, if the pension does not exceed ten rupees a month.

Art.250. An officer transferred from a temporary to a permanent appointment can count his services in the temporary office, if, though at first created experimentally or temporarily, it eventually becomes permanent.

Art.254. If an officer on a permanent establishment is detached on temporary duty, on the understanding that when the temporary duty ceases, he will return to the permanent establishment, he counts his detached service.

NOTE—Contn. Sheet.

WD 01714—GPB—30,000—18-4-28

7

General and Revenue Secretariat. | S&R File No. 45 of 1926.

Serial No.

The general rule is that temporary service does not count for pension except in the cases specified in Articles 248, 250 and 254 M.S. Reg re-produced above.

A further exception is recently made in the case of the temporary service of the Executive, Accounts and Clerical staffs of the Public Works Department employed in connection with temporary works undertaken by it and the orders of Government are as noted below.-

Fl. D.

(1) Continuous service for a period of not less than five years in a temporary appointment or more than one temporary appointment in executive, clerical and accounts establishment of the Public Works Department, will be treated as qualifying for pension.

(2) When the period of temporary service is less than 5 years, but is followed by service in a substantive appointment, half the period of temporary service will be counted for pension.

Barring the last exception made in Mysore in the case of the employees of the Public Works Department, all the above rules are found in the C.S.R.(Government of India) Vide Arts. 370,376 etc. But there is an important Article in C.S.R. so far as temporary service is concerned which has not been taken into M.S.R.

This

NOTE—Contn. Sheet.

WD 01714—GPB—30,000—18-4-28

General and Revenue Secretariat.

SAR File No. 45 of 1928.

Serial No.

361

This is Art.A,C.S.R. and it runs as follows:-

"The Government of India may, however, in the case of Service paid from general revenues even though either or both of conditions 1 and 2 in Art.361 (corresponding to Art.246,M.S.R.) are not fulfilled,

i) declare that any specified kind of service rendered in a non-gazetted capacity shall qualify for pension and

ii) in individual cases and subject to such conditions as it may think fit to impose in each case allow service rendered by an officer to count for pension.

What kinds of temporary service are so declared to count for pension under clause 1 is not known. As regards allowing service in individual cases to count for pension, this is being done even in Mysore though no corresponding Article has been introduced here. Whether a similar Article may be inserted in our Service Regulations is incidentally a point for consideration.

The question of counting of temporary service for pension has been discussed in the file placed below (Fl.Q) by the present 1st Member (then Financial Secretary) in its three-fold aspects :

(1) What kinds of temporary service can be allowed to reckon for pension,

(2) the minimum period of service, the continuous rendering of which should give the employee

NOTE—Contn. Sheet.

WD 01714—GPB—30,000—18-4-28

General and Revenue Secretariat. S&P—File No. 45 of 1928.

Serial No.

employer a claim to pension

and (3) Departments which require a provision of this nature.

As regards the first point he has laid down that the following two conditions should be insisted on :

i) Service should be that rendered in respect of appointments clearly coming under the category of temporary appointments (not acting appointments) and

ii) service should be continuous irrespective of the consideration whether it is rendered in one temporary post or in more than one such post.

With regard to the second point of the minimum period of superior service, he was of opinion that continuous temporary service of not less than 10 years might be given the right of pension. Government have since accepted a reduced period in the case of Public Works Department as mentioned in para 1 supra.

Regarding the Departments requiring a provision of this nature, he was of opinion "that it will be sufficient for the present to limit the operation of the new rule to the temporary Public Works staff." But on the merits of the question itself he noted in the file relating to the P.W.Department (Flag 'Z') that "any concession allowed to the Public Works Department cannot be denied to other departments and a wholesale relaxation of the present rule would make

NOTE—Contn. Sheet.

WD 01714—GPB—30,000—18-4-28

make an appreciable addition to the pension liability of Government."

The only other Department that has been urging for the relaxation of the rule regarding temporary service is the Accounts Department. I understand that the position, so far as this Department is concerned, is as follows:-

Total strength of the Comptroller's Office is 330; out of which as many as 85 ~~temporary~~ are temporary and they hands are distributed as follows:-

(1) 53 ~~Working~~ for the temporary P.W.Divisions

(2) 17 working in the Central Office for auditing the accounts of these temporary divisions.

(3) 15 For audit of Civil Accounts. The details for this number are

3 for Audit of Savings Bank Accounts (for over 6 years.)

2 -do- Iron Works Accounts (from 1920)

2 Pension audit (for over 5 years.)

2 Forest Accounts (from ~~for~~ 1919)

2 Distress Accounts (over 4 years.)

1 State Loan (from 1920)

1 Travelling Allowance. (from 1924)

2. Audit of Trust Board Accts. (1921 and 1926)

Regarding No.(1), the exception made in the case of the Public Works Department should be applicable to these hands, provided they work in the Divisions. But many of these hands are kept in the Central Office and in their places, the permanent trained hands are sent to the Divisions to work in the temporary appointments

NOTE—Contn. Sheet.

WD 01714—GPB—30,000—18-4-28

General and Revenue Secretariat. | File No. of 192 .

Serial No.

(6) the service of these temporary hands who are appointed against temporary posts in the Public Works Department does not count for pension, as they do not actually work in the P.W.D.

(7) These temporary posts of accounts clerks and auditors who are appointed for auditing the accounts of the temporary Divisions last as long as the Divisions themselves exist. I think that whatever concession has been shown to the officials working in the P.W.D. may be extended to the cases of these officials working in the Comptroller's Office, as their cases seem to deserve similar Concession.

(8) As regards the third class of temporary appointments it is seen that they were sanctioned 4 to 8 years ago and are still ~~existing~~ continuing. It is not known whether there are such long temporary appointments in other Departments. Though there are temporary officials in the Secretariat they are all acting or Sub-pro-tem in ~~long~~ temporary vacancies from a long time and as such their appointments are not really temporary in the sense that they are not created for a definite and limited period.

(9) In case there are such appointments in other Departments, continuous temporary service in these Departments may perhaps be counted for pension just as in the case of the P.W.D. subject to the conditions laid down in the G.O. dated 15th February 1928 and also to the condition that the temporary appointments do not carry higher emoluments than the corresponding permanent appointments; and that

NOTE—Contn. Sheet.

WD 01714—GPB—30,000—18-4-28

General and Revenue Secretariat.

File No. 45 of 192

Serial No.

the concession does not add very materially to the pensionary charges.
Fabrey) 6/6/28.

There are several appointments in the Comptroller's office which though styled temporary, continue for indefinite periods and are quasi permanent. The Comptroller's recommendation for the extension to the members of his Office of the concession sanctioned in the Govt. Order of 15th February 1928 to the Public Works Department staff is reasonable.

In view of the special features of temporary appointments in the Comptroller's office, Govt. have recently permitted the filling up of permanent vacancies by promotion of officials already holding appointments on temporary tenure, and the vacancies in the temporary appointments thus released being filled up in accordance with the Recruitment rules. The proposal now made by the Comptroller is practically a logical corollary of the above arrangement and it may be approved.

No orders are now necessary on the general question of extending the concession to temporary service in all departments.

1st Member

I agree

Council matter. Approved

may be disposed by circulation

DEWAN'S OFFICE Received on 9 - AUG. 1928 No. 852

7 AUG. 1928 No. 892

NOTE—Contn. Sheet.

WD 01714—GPB—30,000—18-4-28

SAH-015-28

1D

(For Disposal by Circulation)

No. C. 77

.....9.....1928-29

GENERAL AND REVENUE SECRETARIAT.

COUNCIL MATTER.

SUBJECT.

Extension to the members of the Comptroller's Office of the concession of counting temporary service for pension sanctioned in the case of employees in the Public Works Department.

CIRCULATED TO THE MEMBERS OF COUNCIL.

By Order,

13th August 1928.

Chief *Secretary to Government.*

~~Extraordinary Member of Council~~

1075 / 14/8 First Member of Council. 14.8.28

1400 / 14/8 Second Member of Council.

Third Member of Council.

1952 / 16/8

WD 2670—GPB—1,000—11-5-17

For favour of Final Note.
First Member.

1194 / 18/8 Final Note signed by the Member is put up.

68 / 21/8.

General and Revenue Secretariat

SPH 45 of 28 C 77

SUBJECT

W Proposal to count temporary Service for pension in the Comptroller's Office.

(*)

31. All urgent or confidential files returned with His Highness' orders may, in the absence of instructions or indications to the contrary, be ordinarily circulated to the Members of Council for perusal after the issue of orders.

33. The Secretaries concerned should see that orders in the cases referred to above are issued at once and that the files are returned immediately after to the Chief Secretary for circulation to the Members.

34. In all other cases, the files will first be circulated to the Members of Council at headquarters and then to the Secretariat concerned for the issue of orders.

Circulated to Members of Council for perusal of His Highness' orders before/after issue of orders. (*Vide* Rules 31, 33 and 34 of the Subsidiary Rules for the conduct of business of Council in the Manual of Council Rules and Procedure.)

By Order,

Chief Secretary to Government.

Through the Secretary to Government,

Finl Department,

1880 25/8/28

25/8

1337 25/8

FIRST MEMBER OF COUNCIL. 25/8/28

SECOND MEMBER OF COUNCIL. 27/8

1780 27/8

THIRD MEMBER OF COUNCIL. 27/8

2329 27/8

Finl Secy, with Comptr.

FINANCIAL SECRETARY 28 AUG. 1928 1980

NOTE.—Contn. sheet.

28/8

By Draft 28/8 24/9

S.R.A. 45. 48

15

Final Note by the First Member of Council.

Subject:— 40

Counting temporary service for pension in the Comptroller's Office.

There are several appointments in the Comptroller's Office which though styled temporary, continue for indefinite periods. The Comptroller has several times represented that it is necessary to permit the service rendered by the incumbents of such appointments to count for pension, as has been done with His Highness' sanction in the case of the similar staff of the Public Works Department.

2. In view of the special features of temporary appointments in the Comptroller's Office, the filling up of permanent vacancies by promotion of officials already holding appointments on temporary tenure has been permitted, the vacancies in temporary appointments thus released being filled up in accordance with the Recruitment Rules. The present proposal is a logical corollary of the above arrangement.

3. The Dewan and the Members of Council are agreeable to the Comptroller's recommendation and it may be graciously approved.

Bangalore,
20th August 1928.

M. K. Venkatarama Rao
MEMBER OF COUNCIL.

S+D 45.48

46

Submitted to His Highness.

46 *I submit herewith a Final Note by the*.....First.....
Member of Council on the subject of....Counting temporary
service for pension in the Comptroller's Office,.....
.....
for His Highness' gracious approval.

Mirza M. Ismail
Dewan.
21-8-28

S+T245-28

17

Record of Cases submitted for the Orders of His Highness the Maharaja.

Subject.

42 Proposal to count temporary service for pension in the Comptroller's Office.

139

Order.

KRW
23/8/28

C. Key
MD
23-8-28

MM 23/8

App. F. III—2]

18

General and Revenue Secretariat.

S & A File No. 45 of 1928.

Serial No.

43 Draft Sanad.

4/9.

Re: 2nd at S.C.

2213/S28

FILED
6 SEP. 1928
No. 1584

Secy) MV 5-9-28

1st member) 5/9/28

44 Draft approved by member. MV.

45 Issue

MV.

2. No R 2271 3/10.9.28 to Comptr sanctioning Comptr's proposals & slab. Text may be sent to M.S.R with some reminder.

45 Submitted a draft a.c. slip to art. 250 M.S.R. for approval.

19.9.28.

Secy) MV 19/9

2650/2019

47 Issue MV

No: 2518-9 dt 22-9-1928

To the Comptr & Audr Genl. The Secy A&E Dept

Issues A&C slip to M.S.R intimating the concessions referred to in Art 250 to the officials of the Comptroller's office

NOTE—Contn. Sheet.

WD 01714—GPB—30,000—18-4-28

OFFICE OF THE COMPTROLLER TO THE GOVERNMENT
OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

No. ES 1160 — *Bangalore, dated* 31st March *1928.*

From

S. SHAMANNA, Esq., B.A.,
Comptroller to the Government of
His Highness the Maharaja of Mysore,
BANGALORE.

GENL. & REV. SECTT.
4 APR. 1928
FINANCIAL BRANCH.

To

B. Srinivasa Iyengar Esq., B.A., B.L.,
Secretary to the Government of Mysore,
Financial Department, Bangalore.

Sir,

I have the honor to invite your kind reference to the correspondence ending with your letter No.Fl.1921/S&A 4-73-2 dated the 10th October 1923 and the subsequent reminder thereon, in my letter No.ES 874 dated 23rd January 1928, regarding the concession of counting temporary service for pension permitted in Government Order No.Fl.2115/G.F.3-21-82 dated 13-11-1922 being extended to certain other officials and request to be informed as to when the orders on the general question of relief sought for in cases of men with long and continuous temporary service may be expected to issue and when the cases of the officials of this office referred to above will be disposed of.

In this connection, I may add that Govt. Order No.Fl.6780-839 S&A 283-27-2 dated the 15th February 1928 permits the counting of temporary service towards pension of Executive, Accounts and Clerical staff in the Public Works Department upto the limit therein laid down. As the officials in the Central Office of Accounts are labouring under similar disabilities, and the Accounts Establishment of Work Audit of my office and also of Divisions served in the late Public Works Examiner's Office and Comptroller's Office Public Works and Railway Branch, with a similar continuous temporary service followed by confirmation, I request that sanction of Government may be kindly obtained to extend a similar concession to the members of my office.

I have the honor to be,
Sir,
Your most obedient servant,

Comptroller.

CV

G.R..S VI G 34]

20

SUBJECT.....

.....

.....

Diary No. of letter replied to.....

General and Revenue Secretariat

( )

, *the* 192 .

Date of issue.....10.G.18.....

Signed by.....

May this be

i Printed ?

ii treated as a standing order ?

iii published in the Gazette, English Part ?

iv translated ?

v placed at the disposal of the press ?

vi published in the Gazette, Kannada Part ?

Section S + A

File No. 45 : W

Serial No. 2

Proceedings of the Government of His Highness the Maharaja of Mysore.

Read— Gr.o No H 2115 / Gr.R S-21-82 of 13.11.22 directing that the Officials of the Comptr's Office who had rendered on the date of their ~~in consequence of the re-organisation of that Office~~ retrenchment had less than 13 years service be permitted to reckon their temporary service for Pension.

Correspondence ending with the letter No E.S. 1160 of 31.3.28 from the Comptroller requesting sanction to the extension to the members of his Office also of the concession granted to the Executive, Accounts & Clerical Staff in the P.W.D. of counting temporary service towards Pension in Gr.o No H 6780-839 / Sect 283-27-2 of 15.2.28, for the reason that his officials in the Central Office ~~Central Office~~ Accounts labour under similar disabilities and that

Order Thereon ~~No~~ Statis

Board of Trade Examinations Office & Public Works Office
Dublin 1st Feb 1922

(Order No 42271) 8 10/.9/22

There are several appointments in the Public Works Office styled temporary Continue for indefinite periods. The Comptroller has several times represented that it is necessary to permit the service rendered by the incumbents of such appointments to count for pension ~~on the basis of the Concessions attached to the staff of the P. W. Dept.~~

2. In view of the special status of the temporary appointments and the Comptroller's office, ~~Board have sanctioned~~ in their letter No 21653/94-6 of 17-12-20 & 18-2-21 the following scheme of departmental promotion by selection of officials already holding posts on temporary basis.

The present proposal of the Comptroller is a departure of ~~another~~ this kind and is submitted.

List of enclosures.

~~Board~~ are ~~asked~~ Board to direct as follows:-

1) Pensionable service for a period of not less than 5 years in a temporary capacity or more than one temporary capacity be treated as qualifying for pension.

2) That the period of temporary service of less than 5 years ~~but~~ as follows by ~~reason~~ in a pensionable capacity

A of the Period of temporary service to ~~count for pension~~.

The Comptroller recommendation is sanctioned.

Copied by

Examined by

~~No of amendments to~~ P.S. 2 regd

~~have a~~ regd

5/3/22

WD 1886—GPB—1,000,00—21-12-21

~~Do~~ the Comptr to note

pl V/ 12/ dep

A. P. F. VI. G1]

SUBJECT.....

.....

.....

Section S+D

File No. 45-26

Serial No. 3

No. H 25-18-9

A.c. slip to M.S.R.

Diary No. of letter replied to.....

General and Revenue Secretariat

( )

the *192*

To

Page 76 Article 250

Insert the following as a further para after the Subpara introduced ~~by C.S.~~ by Correction slip no 113 D/ 15.2.1928

"The above Concession is extended to the Officials of the Comptroller's Office"

Date of issue.....22.9.28.....

Signed by.....

List of enclosures.....

Copied by .....

Examined by .....

To The Comptroller

The Supt. Govt. Printing

Financial Secretary

19.9.28.

over

WD0325—G.P.B.—30,000—26-5-27

23

Addenda and Corrigenda to Mysore Service Regulations.

Page 76. Article 250.

Insert the following as a further para after the sub para introduced by correction slip No.113 dated 15th February 1928.

"The above concession is extended to the officials of the Comptroller's Office".

By Order,

M Venkatappa

Secretary to Government,
Financial Department.

H 2578-9/59 ff 45-28-3 dtd 22/9/28 21.9.28

To

The Superintendent, Government Printing.
" Comptroller, Mysore Government.

NO: FI: 2578-9/59 ff 45-28-3 dt 22-9-28

NO: 151 dt 22-9-28.